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BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER HYLINSKI, STEVEN J	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ET

Office Action Summary	Application No. 10/756,429	Applicant(s) SAFFARI ET AL.	
	Examiner Steven J. Hylinski	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 10-14, 19-33 and 38-42 is/are rejected.
- 7) ☒ Claim(s) 6-9, 15-18 and 34-37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/13/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :04/30/2004, 01/28/2005, 03/21/2005, 03/29/2005, 05/06/2005, 05/11/2005, 11/28/2005, 02/06/2006, 02/21/2006, 10/02/2006, 03/20/2006

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-5, 10-14, 19-21, 24-33, and 38-40 are rejected under 35

U.S.C. 102(e) as being anticipated by US 2004/0152508 to Lind et al. (Lind).

Re Claim 1,

A method for conducting a wagering game (Title and Abstract, bingo) and an associated progressive jackpot (Paragraph 98), wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia for the occurrence of the wagering game (Abstract) and individual game indicia are sequentially selected from a range of available game indicia (Paragraph 84, bingo balls are randomly drawn, having numbers between 1 and 75), wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia (Paragraphs 85-86), and wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected game indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, matching predetermined patterns results in

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prizes being awarded to players, as is well-known in bingo, and Paragraph 98, a progressive jackpot prize can be incorporated into the game), the method comprising: receiving a deposit of an amount of a medium of currency by a player at a gaming unit (Paragraph 83, the player inserts a player card and chooses how much to wager, Paragraph 28, the player card contains a player account, also a separate device 309 can accept currency, vouchers, or tokens directly); receiving input for a player's wager on an occurrence of the wagering game at an input device of the gaming unit (Paragraphs 83 and 95, the player chooses the amount of his wager for the instance of the game) ; displaying the unique game array of game indicia for the player for the occurrence of the wagering game at a display device of the gaming unit (Paragraph 83; the player's bingo station displays a choice of cards, from which the player chooses a card he would like to use in the game) receiving the sequentially selected game indicia at the gaming unit (Paragraph 84, the player receives all drawn bingo numbers at his station, on the display, in the order they were called); comparing the sequentially selected game indicia to the game indicia of the unique game array (Paragraph 85, the player must compare the indicia on his card to the drawn balls, and daub accordingly); determining that the player has won an interim pattern award for the occurrence of the wagering game if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined progressive jackpot winning pattern (Paragraph 86, The "bonus prize" patterns in the reference are describing what applicant terms an interim pattern, or a non-game-ending predetermined pattern that can be matched, and a prize therefore

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awarded, only before the game ending pattern is matched, and also usually only available for matching within a predetermined number of drawn numbers); determining an interim pattern award amount for the player corresponding to the progressive jackpot winning pattern matched by the pattern on the player's unique game array (Paragraph 86, bonus prizes are paid for specific patterns if they are achieved before a certain maximum number of ball draws has occurred, and also if the game-ending pattern has not yet been won); providing a sleep time period for the player to make a prize claiming input selection at the input device of the gaming unit to claim the interim pattern award amount (Paragraph 85, the sleep timer applies to any prize, which includes bonus or interim prizes, game-ending prizes, and progressive jackpot prizes, and Fig. 4 steps 407, 408, 410); and adding the interim pattern award amount to the progressive jackpot pool if the player does not input the prize claiming input within the sleep time period (Paragraph 85).

Re Claim 10,

A method for conducting a wagering game (Title and Abstract, bingo) and an associated progressive jackpot (Paragraph 98), wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia for the occurrence of the wagering game (Abstract) and individual game indicia are sequentially selected from a range of available game indicia (Paragraph 84, bingo balls are randomly drawn, having numbers between 1 and 75), wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected

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game indicia (Paragraphs 85-86), and wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected game indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, matching predetermined patterns results in prizes being awarded to players, as is well-known in bingo, and Paragraph 98, a progressive jackpot prize can be incorporated into the game), the method comprising: providing a currency-accepting mechanism (Paragraph 28, the player card reader **308** and the currency input device **309** are both currency-accepting mechanisms) at a gaming unit for receiving a deposit of an amount of a medium of currency by a player at the gaming unit (Paragraph 83, the player inserts a player card and then chooses how much to wager); providing an input device (Fig. 3, touch screen **305** and player controls **304**) for receiving input for a player's wager on an occurrence of the wagering game at an input device (Fig. 3, player card reader **308**) of the gaming unit (Paragraphs 83 and 95, the player chooses the amount of his wager for the instance of the game) ; providing a display device (Fig. 3, display/touch screen **305**) for displaying the unique game array of game indicia for the player for the occurrence of the wagering game at a display device of the gaming unit (Paragraph 83; the player's bingo station displays a choice of cards, from which the player chooses a card he would like to use in the game) configuring the gaming device (Fig. 3, the gaming device has a processor **300** attached to memory **301** and **302**, also connected to a communications interface **303**) to receive the sequentially selected game indicia to the game indicia of the unique game array

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(Paragraphs 84-85, the player receives all drawn bingo numbers at his station, on the display, in the order they were called, and compares them to his bingo card) ; configuring the gaming unit to compare the sequentially selected game indicia to the game indicia of the unique game array (Paragraph 86, a prize is awarded when the player has correctly daubed a predetermined winning pattern); configuring the gaming unit to determine that the player has won an interim pattern award for the occurrence of the wagering game if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined interim pattern (Paragraph 86, The "bonus prize" patterns in the reference are describing what applicant terms an interim pattern, or a non-game-ending predetermined pattern that can be matched, and a prize therefore awarded, only before the game ending pattern is matched, and also usually only available for matching within a predetermined number of drawn numbers); configuring the gaming unit to determine an interim pattern award amount for the player corresponding to the interim pattern matched by the pattern on the player's unique game array (Paragraph 86, bonus prizes are paid for specific patterns if they are achieved before a certain maximum number of ball draws has occurred, and also if the game-ending pattern has not yet been won); configuring the gaming unit to provide a sleep time period for the player to make a prize claiming input selection at the input device of the gaming unit to claim the interim pattern award amount (Paragraph 85, the sleep timer applies to any prize, which includes bonus or interim prizes, game-ending prizes, and progressive jackpot prizes, and Fig. 4 steps **407, 408, 410**); and adding the interim pattern award amount to the

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progressive jackpot pool if the player does not input the prize claiming input within the sleep time period (Paragraph 85).

Re Claim 19,

A method for conducting a wagering game (Title and Abstract, bingo) and an associated progressive jackpot (Paragraph 98), wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia for the occurrence of the wagering game (Abstract) and individual game indicia are sequentially selected from a range of available game indicia (Paragraph 84, bingo balls are randomly drawn, having numbers between 1 and 75), wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia (Paragraphs 85-86), the method comprising: receiving a deposit of an amount of a medium of currency by a player at a gaming unit (Paragraph 83, the player inserts a player card and chooses how much to wager, Paragraph 28, the player card contains a player account, also a separate device 309 can accept currency, vouchers, or tokens directly) receiving input for a player's wager on an occurrence of the wagering game at an input device of the gaming unit (Paragraphs 83 and 95, the player chooses the amount of his wager for the instance of the game); displaying the unique game array of game indicia for the player for the occurrence of the wagering game at a display device of the gaming unit (Paragraph 83; the player's bingo station displays a choice of cards, from which the player chooses a card he would like to use in the game)

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receiving the sequentially selected game indicia at the gaming unit (Paragraph 84, the player receives all drawn bingo numbers at his station, on the display, in the order they were called); comparing the sequentially selected game indicia to the game indicia of the unique game array (Paragraph 85, the player must compare the indicia on his card to the drawn balls, and daub accordingly); determining that the player has won a progressive jackpot award for the occurrence of the wagering game if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, the player, marking his cards according to the sequentially drawn balls, matches a predetermined winning pattern and therefore wins a prize, Paragraph 98, which can be a progressive jackpot prize); determining a progressive jackpot award amount for the player corresponding to the progressive jackpot winning pattern matched by the pattern on the player's unique game array (Paragraph 98, the amount of the progressive jackpot is dependent on the participation up to the point that the jackpot is won); subtracting the progressive jackpot award amount from a progressive jackpot pool (Paragraph 98, the size of the pot increases up until someone wins. It is inherent in a progressive jackpot that the award paid to the winner of a progressive prize will be subtracted from the progressive pool); providing a sleep time period for the player to make a prize claiming input selection at the input device of the gaming unit to claim the progressive jackpot award amount (Paragraph 85 and Fig. 4 steps 407, 408, 410); and adding the progressive jackpot

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award amount to the progressive jackpot pool if the player does not input the prize claiming input within the sleep time period (Paragraph 85).

Re Claim 24,

A method for conducting a wagering game (Title and Abstract, bingo) and an associated progressive jackpot (Paragraph 98), wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia for the occurrence of the wagering game (Abstract) and individual game indicia are sequentially selected from a range of available game indicia (Paragraph 84, bingo balls are randomly drawn, having numbers between 1 and 75), wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia (Paragraphs 85-86), the method comprising: providing a currency-accepting mechanism at a gaming unit (Paragraph 28, the player card reader **308** and the currency input device **309** are both currency-accepting mechanisms) for receiving a deposit of an amount of a medium of currency by a player at the gaming unit (Paragraph 28); providing an input device for receiving input for a player's wager on an occurrence of the wagering game at the gaming unit (Fig. 3, touch screen **305** and player controls **304**); providing a display device (Fig. 3, display/touch screen **305**) for displaying the unique game array of game indicia for the player for the occurrence of the wagering game at the gaming unit; configuring the gaming unit to receive the sequentially selected game indicia at the gaming unit (Paragraphs 84-85, the player receives all drawn bingo numbers at his station, on the display, in the order they were

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called, and compares them to his bingo card); configuring the gaming unit to compare the sequentially selected game indicia to the game indicia of the unique game array (Paragraph 86, a prize is awarded when the player has correctly daubed a predetermined winning pattern); configuring the gaming unit to determine that the player has won a progressive jackpot award for the occurrence of the wagering game if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, the player, marking his cards according to the sequentially drawn balls, matches a predetermined winning pattern and therefore wins a prize, Paragraph 98, which can be a progressive jackpot prize); configuring the gaming unit to determine an progressive jackpot award amount for the player corresponding to the progressive jackpot winning pattern matched by the pattern on the player's unique game array (Paragraph 98, the amount of the progressive jackpot is dependent on the participation up to the point that the jackpot is won); configuring the gaming unit to transmit a message to a progressive jackpot network computer to subtract the progressive jackpot award amount from a progressive jackpot pool (Paragraph 98, this step must inherently occur in order for the system to function); configuring the gaming unit to provide a sleep time period for the player to make a prize claiming input selection at the input device of the gaming unit to claim the progressive jackpot award amount (Paragraph 85 and Fig. 4 steps **407, 408, 410**); and configuring the gaming unit to transmit a message to the progressive jackpot network computer to

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add the progressive jackpot award amount to the progressive jackpot pool if the player does not input the prize claiming input within the sleep time period (Paragraph 85).

Re Claim 29,

A gaming unit (Fig. 3, Electronic Player Station **103**) for conducting a wagering game (Title and Abstract, bingo) and an associated progressive jackpot (Paragraph 98) in a gaming network having a network computer and a plurality of gaming units (Fig. 1, Central Gaming Server **101** and a plurality of Electronic Player Stations **103**), wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia for the occurrence of the wagering game (Abstract) and individual game indicia are sequentially selected from a range of available game indicia (Paragraph 84, bingo balls are randomly drawn, having numbers between 1 and 75), wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia (Paragraphs 85-86), and wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected game indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, matching predetermined patterns results in prizes being awarded to players, as is well-known in bingo, and Paragraph 98, a progressive jackpot prize can be incorporated into the game), the gaming unit comprising: an input device for inputting a plurality of input

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selections (Fig. 3, touch screen **305** and player controls **304**); a display device (Fig. 3, display/touch screen **305**); a gaming unit memory device (Fig. 3, **301 and 302**); a currency-accepting mechanism (Paragraph 28, the player card reader **308** and the currency input device **309** are both currency-accepting mechanisms) that is capable of allowing a player to deposit a medium of currency (Paragraph 28), a value-dispensing mechanism that is capable of dispensing value to the player (Fig. 3, Value in/out **309**, also see Paragraph 28); a gaming unit controller operatively coupled to the input device, the display device, the gaming unit memory device, the currency-accepting mechanism, and the value-dispensing mechanism, the gaming unit controller (Fig. 3, Processor **300**) being programmed to allow the currency- accepting mechanism to accept a deposit of an amount of a medium of currency by a player at the gaming unit (Paragraph 83, the player inserts a player card), the gaming unit controller being programmed to allow the input device to receive input for a player's wager on an occurrence of the wagering game at the input device (Paragraph 83, the player inserts a player card and then chooses how much to wager), the gaming unit controller being programmed to cause the display device to display the unique game array of game indicia for the player for the occurrence of the wagering game at a display device of the gaming unit (Paragraph 83; the player's bingo station displays a choice of cards, from which the player chooses a card he would like to use in the game), the gaming unit controller being programmed to receive the sequentially selected game indicia at the gaming unit (Paragraphs 84-85, the player receives all drawn bingo numbers at his station, on the display, in the order they were called, and compares them to his bingo

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card), the gaming unit controller being programmed to compare the sequentially selected game indicia to the game indicia of the unique game array (Paragraph 86, a prize is awarded when the player has correctly daubed a predetermined winning pattern), the gaming unit controller being programmed to determine that the player has won an interim pattern award for the occurrence of the wagering game in response to determining that a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, the player, marking his cards according to the sequentially drawn balls, matches a predetermined winning pattern and therefore wins a prize, Paragraph 98, which can be a progressive jackpot prize); the gaming unit controller being programmed to determine a progressive jackpot award amount for the player corresponding to the progressive jackpot winning pattern matched by the pattern on the player's unique game array (Paragraph 98, the amount of the progressive jackpot is dependent on the participation up to the point that the jackpot is won); the gaming unit controller being programmed to provide a sleep time period for the player to make a prize claiming input selection at the input device of the gaming unit to claim the progressive jackpot award amount (Paragraph 85, the sleep timer applies to any prize, which includes bonus or interim prizes, game-ending prizes, and progressive jackpot prizes, and Fig. 4 steps 407, 408, 410); and the gaming unit controller being programmed to transmit a message to a progressive jackpot network computer to add the progressive jackpot award amount to a progressive jackpot pool in response to not detecting input by the player within the sleep time period (Paragraphs 41-44 and 85, the

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EPS **103** makes the determination whether the sleep timer has been exceeded.

Paragraph 40 describes that either the local server **102** or central server **101** knows the results of the game play ahead of time, and Paragraph 66 discloses that any of the EPS, LAS, or CGS can perform the process steps shown in Fig. 4, such as the sleep timer routine steps **407, 408, 410**. Fig. 1 illustrates how the EPS's **103** are linked through either the LAS **102** or CGS **101**. Therefore it is inherent that one of the servers **101** or **102** must be notified when the EPS **103** determines that a player forfeits an award that has been predetermined by one of the servers, in order for the game to be functional).

Re Claim 38,

A gaming unit (Fig. 3, Electronic Player Station **103**) for conducting a wagering game (Title and Abstract, bingo) and an associated progressive jackpot (Paragraph 98) in a gaming network having a network computer and a plurality of gaming units (Fig. 1, Central Gaming Server **101** and a plurality of Electronic Player Stations **103**), wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia for the occurrence of the wagering game (Abstract) and individual game indicia are sequentially selected from a range of available game indicia (Paragraph 84, bingo balls are randomly drawn, having numbers between 1 and 75), wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia (Paragraphs 85-86), and wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning if a pattern on the player's unique game array formed by game indicia

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on the unique game array matching sequentially selected game indicia matches a predetermined progressive jackpot winning pattern (Paragraphs 86 and 96, matching predetermined patterns results in prizes being awarded to players, as is well-known in bingo, and Paragraph 98, a progressive jackpot prize can be incorporated into the game), the gaming unit comprising: an input device for inputting a plurality of input selections (Fig. 3, touch screen **305** and player controls **304**); a display device (Fig. 3, display/touch screen **305**); a gaming unit memory device (Fig. 3, **301** and **302**); a currency-accepting mechanism (Paragraph 28, the player card reader **308** and the currency input device **309** are both currency-accepting mechanisms) that is capable of allowing a player to deposit a medium of currency (Paragraph 28) a value-dispensing mechanism that is capable of dispensing value to the player (Fig. 3, Value in/out **309**, also see Paragraph 28); a gaming unit controller operatively coupled to the input device, the display device, the gaming unit memory device, the currency-accepting mechanism, and the value-dispensing mechanism, the gaming unit controller (Fig. 3, Processor **300**) being programmed to allow the currency- accepting mechanism to accept a deposit of an amount of a medium of currency by a player at the gaming unit (Paragraph 83, the player inserts a player card), the gaming unit controller being programmed to allow the input device to receive input for a player's wager on an occurrence of the wagering game at the input device (Paragraph 83, the player inserts a player card and then chooses how much to wager), the gaming unit controller being programmed to cause the display device to display the unique game array of game indicia for the player for the occurrence of the wagering game at a display device of the

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gaming unit (Paragraph 83; the player's bingo station displays a choice of cards, from which the player chooses a card he would like to use in the game), the gaming unit controller being programmed to receive the sequentially selected game indicia at the gaming unit (Paragraphs 84-85, the player receives all drawn bingo numbers at his station, on the display, in the order they were called, and compares them to his bingo card), the gaming unit controller being programmed to compare the sequentially selected game indicia to the game indicia of the unique game array (Paragraph 86, a prize is awarded when the player has correctly daubed a predetermined winning pattern), the gaming unit controller being programmed to determine that the player has won an interim pattern award for the occurrence of the wagering game in response to determining that a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined interim pattern (Paragraph 86, The "bonus prize" patterns in the reference are describing what applicant terms an interim pattern, or a non-game-ending predetermined pattern that can be matched, and a prize therefore awarded, only before the game ending pattern is matched, and also usually only available for matching within a predetermined number of drawn numbers); the gaming unit controller being programmed to determine an interim pattern award amount for the player corresponding to the interim pattern matched by the pattern on the player's unique game array (Paragraph 86, bonus prizes are paid for specific patterns if they are achieved before a certain maximum number of ball draws has occurred, and also if the game-ending pattern has not yet been won); the gaming unit controller being programmed to

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determine that the player has won a progressive jackpot award for the occurrence of the wagering game in response to determining that a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches a predetermined progressive jackpot winning pattern (Paragraph 98); the gaming unit controller being programmed to determine an progressive jackpot award amount for the player corresponding to the progressive jackpot winning pattern matched by the pattern on the player's unique game array (Paragraph 98); the gaming unit controller being programmed to transmit a message to a progressive jackpot network computer to subtract the progressive jackpot award amount from a progressive jackpot pool (Paragraph 98, this step must inherently occur in order for the system to function), the gaming unit controller being programmed to provide a sleep time period for the player to make a prize claiming input selection at the input device of the gaming unit to claim the interim pattern award amount (Paragraph 85 and Fig. 4 steps 407, 408, 410); and the gaming unit controller being programmed to transmit a message to the progressive jackpot network computer to add the interim pattern award amount to the progressive jackpot pool in response to not detecting input by the player within the sleep time period (Paragraph 85).

Re Claims 2, 11, 20, 25 30, and 39

A method and gaming unit for conducting a wagering game an an associated progressive jackpot, wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning outcome (Paragraph 98) if the player matches the predetermined progressive jackpot winning outcome within a

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predetermined maximum number of sequentially selected game indicia (Paragraph 86, the only prize that is available after more than 30 numbers have been drawn is the guaranteed game-ending prize. Therefore the progressive jackpot prize, described in Paragraph 98 as being optionally included in the bingo game, would be available if it were reached in less than 30 draws, as consistent with the criteria of Paragraph 86).

Re Claims 3, 12, and 31

A method and gaming unit for conducting a wagering game and associated progressive jackpot, wherein the interim pattern award amount is a predetermined award amount corresponding to the interim pattern matched by the pattern on the player's unique game array (Paragraph 86, the bonus prizes that are specific non-game-ending patterns are interim pattern awards, as are very well-known in the art. Figs 15-16 show pay tables for all of the interim pattern awards).

Re Claims 4, 13, and 32

A method and gaming unit for conducting a wagering game and associated progressive jackpot wherein the wagering game has a plurality of predetermined interim patterns (Figs. 15-16 show examples of interim win patterns) each having a corresponding interim pattern award amount, (Figs. 15-16, each pattern is correlated to an award) the method comprising: determining that the player has won at least one interim pattern award for the occurrence of the wagering game if at least one pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected indicia matches one of the predetermined interim patterns (Paragraph 86); determining a total interim pattern award amount for

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the player equal to the sum of the interim pattern award amounts corresponding to the predetermined interim patterns determined to be matched on the player's unique game array (Paragraphs 73 and 76 disclose that the player can play several cards simultaneously, that the multiple cards can be grouped and considered as one game, and that the results will be displayed simultaneously, thus summing possible interim awards such as those shown in Figs. 15-16); and adding the total interim pattern award amount to the progressive jackpot pool if the player does not input the prize claiming input within the sleep time period (Paragraph 85).

Re Claims 5, 14, and 33

See the rejection of claims 4, 13, and 32 above. Additionally, Lind discloses determining a total interim pattern award amount for the player equal to the greatest of the interim pattern award amounts corresponding to the predetermined interim patterns determined to be matched on the player's unique game array (Paragraph 96).

Re Claims 21, 26, and 40,

A method for and gaming unit for conducting a wagering game and associated progressive jackpot, wherein the progressive jackpot award amount is equal to the amount of the progressive jackpot pool (see Paragraph 98, it is well-known that a winning player can be awarded the amount of the jackpot pool when players are competing for a progressive jackpot).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3714

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 22-23 and 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0152508 to Lind, in view of US 2003/0216165 to Singer et al. (Singer).

Re Claims 22, 27, and 41,

Lind teaches the method and gaming unit for conducting a wagering game and associated progressive jackpot in accordance with claims 19, 24, and 38, as discussed in the rejection of the claims above.

However, Lind lacks the progressive jackpot award amount being equal to the amount of the progressive jackpot pool multiplied by the ratio of the amount of the player's wager on the occurrence of the wagering game to a maximum wager amount that may be wagered on the wagering game.

Singer teaches an analogous electronic casino wagering game (abstract) in which the game-winning award amount (Paragraph 68, the value won from a bonus payline) is multiplied by the ratio of the amount of the player's wager on the occurrence of the wagering game to a maximum wager amount that may be wagered on the wagering game (See Paragraph 68, the bonus value is multiplied by the exemplary wager amount of 10 credits and divided by the maximum wager amount of 20 credits).

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to have incorporated Singer's method of calculating an award

multiplier into the teaching of Lind, in order to encourage the player to bet the maximum amount on the game so that he or she can win the maximum payout.

Re Claims 23, 28, and 42,

Lind in view of Singer further teaches wherein the progressive jackpot is associated with a plurality of wagering games (Lind Paragraph 98).

Allowable Subject Matter

4. Claims 6-9, 15-18, and 34-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 6-9, 15-18, and 34-37 are allowable over the prior art of record, because the prior art neither anticipates nor renders obvious the following limitations: having first and second sleep timers, corresponding to different interim pattern awards, and storing the interim pattern award amount for either the first, second, or both, interim pattern awards, if the player meets the criteria of the sleep timer function, and calculating the progressive jackpot contribution, if the player fails to comply with the second sleep time period, equal to the second interim pattern award amount minus the first interim pattern award amount, when the second interim pattern award amount is greater than the first interim pattern award amount, and awarding the first interim pattern award amount to the player if the player does not input the prize claiming input within the second sleep time period.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,984,779 to Evans, USPN 5,275,400, USPN 6,932,707 to Duhamel, and US 2003/0181231 to Vancura et al. disclose gaming with a progressive jackpot. USPN 6,805,629 to Weiss discloses a bingo game having interim wins. US 2007/0135211 to Block et al., US 2005/0037832 to Cannon, US 2004/0259621 to Pfeiffer, and USPN 6,494,454 to Adams disclose a wagering game with a sleep timer. USPN 5,145,182 to Swift. et al. discloses a game where a player loses a turn if the sleep timer expires. USPN 6,743,102 to Fiechter et al. discloses an analogous networked bingo game. USPN 6,012,984 to Rosemena discloses wide area network gaming.

09-17-2007

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**JOHN M. HOTALING, II
PRIMARY EXAMINER**

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